

REMARKS

Claims 1-7 and 9-12 are all the claims pending in the application.

I. Response to Rejection of Claims 1-7 and 9 under 35 U.S.C. § 103(a)

Claims 1-7 and 9 are still rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Yuji et al. (JP 2002-110245; hereinafter "JP '245") in view of Nakagawa.

Applicants respectfully traverse the rejection.

JP '245 discloses that a polymer is applied to the surface of the porous film substrate.

In contrast, Nakagawa discloses that a crosslinked material layer is formed on a porous material (separator). *See e.g.*, [0024]-[0025] and [0042]. More specifically, Nakagawa discloses that the crosslinked layer is formed from at least one monomer having an unsaturated bond, monomer having an epoxy group, or a monomer having an isocyanates group. *See* [0025]. Nakagawa further discloses that the separator can be prepared by coating the porous material with a monomer solution comprising the crosslinkable monomer. *See* [0071]. Indeed, in the Examples, e.g., Example 1, a monomer solution is applied to a microporous polyethylene membrane as a porous material and irradiated so that the monomer was crosslinked to form a crosslinked material layer.

It is respectfully submitted that the crosslinking "polymer" of JP '245 is essentially different from the crosslinking "monomer" of Nakagawa.

In this regard, Nakagawa discloses that "in order to suppress the viscosity of the crosslinkable monomer and hence obtain excellent battery properties and high liquid electrolyte leakage preventive properties, certainly, the molecular weight of the crosslinked material is even more preferably not greater than 2,000". *See* page 4, [0049]. Therefore, it would be

difficult to combine a porous substrate disclosed in Nakagawa with the polymer disclosed in JP '245. Accordingly, one of ordinary skill in the art would not be motivated to combine the references to arrive at the claimed invention.

For at least the above reasons, it is respectfully submitted that claim 1 is patentable over the cited art.

In addition, claims 2-7 and 9 depends from claim 1, and thus it is respectfully submitted that these claims are patentable for at least the same reasons as claim 1.

Accordingly, withdrawal of the rejection is respectfully requested.

II. Response to Nonstatutory Obviousness-type Double Patenting Rejection

Claims 1-12 are still provisionally rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-17 of copending Application Nos. 11/267,404 and 10/569,417.

Without conceding the merits of the rejections, it is respectfully requested that the provisional non-statutory double-patenting rejections be held in abeyance.


III. Conclusion

In view of the above, reconsideration and allowance of claims 1-7 and 9-12 is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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